

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: ) CASE NO. 20-01220  
 )  
Petar Scopu ) HON. Donald R Cassling  
DEBTOR. ) CHAPTER 13

**NOTICE OF MOTION**

TO: Trustee M.O. Marshall, 55 E. Monroe Street, Suite 3850, Chicago, IL 60603, via electronic court notification;

Nationstar Mortgage LLC d/b/a Mr. Cooper, Bankruptcy Department, PO Box 619096 Dallas, TX 75261-9741, via U.S. Mail;

McCalla Raymer Leibert Pierce, LLC, ATT: Kinnera Bhoopal, 1 North Dearborn Suite 1200 Chicago, IL 60611, via U.S. Mail;

See attached service list.

PLEASE TAKE NOTICE THAT on September 16, 2021 at 9:30 a.m., I will appear before the Honorable Judge Donald R. Cassling or any judge sitting in that judge's place, and present the motion of Debtor to Modify Plan Post Confirmation, a copy of which is attached.

**This motion will be presented and heard electronically using Zoom for Government.** No personal appearance at the courthouse is necessary or permitted. To appear and be heard on the motion, you must do the following:

**To appear by video**, use this link: <https://www.zoomgov.com/> Then enter the meeting ID and passcode.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

**Meeting ID and passcode.** The meeting ID for this hearing is 161 414 7941 and the passcode is 619. The meeting ID and password can also be found on the judge's page on the court's web site.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of

Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

By: David H. Cutler  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
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Skokie, IL 60076  
Phone: (847) 673-8600  
[cutlerfilings@gmail.com](mailto:cutlerfilings@gmail.com)

**CERTIFICATE OF SERVICE**

I, David H. Cutler, hereby certify that I served a copy of this notice and the attached motion electronically or through U.S. Mail on each entity shown on the attached list at the address shown on the list on August 16, 2021 by 6:00 p.m.

By: /s/ David H. Cutler  
David H. Cutler, esq.  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
4131 Main St.  
Skokie, IL 60076

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IN THE UNITED STATES BANKRUPTCY COURT

FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

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In Re: ) Case No.: 20-01220  
          )  
Petar Scopu ) Chapter 13  
          )  
Debtor(s)   ) Judge: Donald R Cassling

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MOTION TO MODIFY PLAN POST CONFIRMATION

NOW COMES the Debtor, Petar Scopu (hereafter referred to as “the Debtor”), by and through his attorneys, The Law Offices of Cutler & Associates, Ltd., to present this Motion and state as follows:

1. On January 15, 2020, the Debtor filed a petition for relief pursuant to Chapter 13, Title 11 of the United States Code.
2. On April 2, 2020, this Honorable Court confirmed the Debtor’s Chapter 13 Plan.
3. The Debtor’s confirmation order provides for a plan payment of \$1,305 for 3 months and then increased to \$1,392 for 57 months with unsecured creditors receiving 100% of their unsecured claims.
4. The Debtor has paid in \$24,795 to date in his Chapter 13 plan.
5. The Debtor is substantially current on his trustee payments as of the date of this motion.
6. The Debtor entered into a mortgage forbearance with Nationstar Mortgage LLC d/b/a Mr. Cooper (“Creditor”) for the property located at 559 Justina Street Hinsdale, IL 60521 based upon a material financial hardship caused by the COVID-19 pandemic. Creditor granted the Debtor a forbearance for a total of six (6) months, starting April 1, 2020 through September 1, 2020, with payments to resume October 1, 2020. The arrears due under the forbearance are \$24,136.92. (See Exhibit A)

7. Debtor has resumed his post-petition mortgage payments with the Creditor beginning with the October 1, 2020 payment, but he is unable to cure the full amount of the forbearance arrears in one lump sum payment and is seeking to modify his plan to add the forbearance arrears to the plan and Debtor is seeking to extend the Chapter 13 plan term over 60 months under H.R. 1651 COVID-19 Bankruptcy Relief Extension Act of 2021.
8. The Debtor is looking to extend the Chapter 13 plan term over 60 months in accordance with 11 U.S.C. §1329(d)(1).
9. The Debtor's income has been affected and he is experiencing a material financial hardship related to the coronavirus disease 2019 (COVID-19) pandemic. The Debtor receives monthly household contributions from his daughter and son-in-law who lives with him and during the pandemic they suffered a loss of income and were unable to make the full household contributions to the Debtor.
10. The Debtor's daughter's husband is self-employed and has a construction business, Nail it Down, and his main clients are senior living centers, rehabilitation centers and senior citizens, they make up 90% of the business, he does rehab work, installations, repairs, construction work and indoor/outdoor work on private homes. The Debtor's son-in-law's business was affected during the pandemic beginning in April 2020 as his clients were not allowing him in their businesses and homes for work, especially in the senior living centers and rehabilitation centers, that projects were put on hold as seniors were at greater risk of infection and also business slowed as people were not able to afford his services.
11. The Debtor is looking to add the mortgage forbearance arrears to his Chapter 13 plan, that the Creditor will file a supplemental claim for the arrearage, and to extend the Chapter 13 plan term over 60 months under H.R. 1651 COVID-19 Bankruptcy Relief

Extension Act of 2021 as the Debtor's loss of income was result of the (COVID-19) pandemic. The Debtor is looking to extend the Chapter 13 plan term over 60 months in accordance with 11 U.S.C. §1329(d)(1).

12. The Debtor will be in a position to make plan payments and his post-petition mortgage payments going forward if the mortgage forbearance arrears are added to the plan and the Chapter 13 plan term is extended over 60 months as Debtor's son-in-law's business has picked up, that he is doing more outdoor work and expanded his clientele. The Debtor's son-in-law, as of January 2021, is also is working at Cantata Adult Life Services, a senior citizen center in Brookfield, Illinois in an environmental services position and along with his construction work his income is steady and he and Debtor's daughter will be able to make the full monthly household contributions in a timely manner each month to the Debtor.

13. Debtor requests that this Honorable Court add the mortgage forbearance arrears to the Chapter 13 plan in addition to the pre-petition arrears in section 3.1 and that the Trustee will pay the forbearance arrears per the supplemental proof of claim filed by the Creditor and to extend the Chapter 13 plan term over 60 months under H.R. 1651 COVID-19 Bankruptcy Relief Extension Act of 2021.

14. The Debtor has filed the instant case in good faith and he intends to complete the plan of reorganization.

WHEREFORE, the Debtor respectfully requests that this Court modify the Debtor's Plan Post Confirmation to add the mortgage forbearance arrears to the Chapter 13 Plan and to extend the Chapter 13 Plan term over 60 months in accordance with 11 U.S.C. §1329(d)(1); and for such further relief that this Court may deem just and proper.

Dated: August 16, 2021

Respectfully Submitted,

By: /s/ David H. Cutler

David H. Cutler, esq.,  
Counsel for Debtor(s):  
4131 Main St.  
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